

## **2011 DRAFTING REQUEST**

### **Assembly Amendment (AA-AB463)**

Received: **01/16/2012**

Received By: **mglass**

Wanted: **As time permits**

Companion to LRB:

For: **Louis Molepske Jr (608) 267-9649**

By/Representing: **Vicky Selkove**

May Contact:

Drafter: **mglass**

Subject: **Nat. Res. - wet/shore/flood**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Molepske@legis.wisconsin.gov**

Carbon copy (CC:) to: **joanna.beilman-dulin@legis.wisconsin.gov**

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#### **Pre Topic:**

No specific pre topic given

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#### **Topic:**

Factors in review regarding watersheds

---

#### **Instructions:**

See attached

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#### **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/P1	mglass 01/16/2012	wjackson 01/16/2012	jfrantze 01/16/2012	_____	mbarman 01/16/2012		
/P2	mglass 01/16/2012	wjackson 01/16/2012	jfrantze 01/16/2012	_____	mbarman 01/16/2012		
	chanaman 01/17/2012	wjackson 01/17/2012		_____			
/1			jfrantze 01/17/2012	_____	sbasford 01/17/2012	sbasford 01/17/2012	

Vers.      Drafted      Reviewed      Typed      Proofed      Submitted      Jacketed      Required

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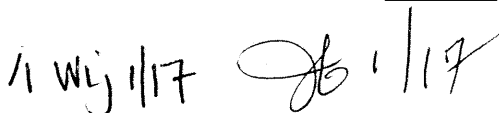
See attached

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&lt;END&gt;

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### **Assembly Amendment (AA-AB463)**

Received: **01/16/2012**

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Wanted: **As time permits**

Companion to LRB:

For: **Cory Mason (608) 266-0634**

By/Representing: **Vicky Selkove**

May Contact:

Drafter: **mglass**

Subject: **Nat. Res. - wet/shore/flood**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Mason@legis.wisconsin.gov**

Carbon copy (CC:) to: **Vicky.Selkove@legis.wisconsin.gov**  
**vsselkove@gmail.com**  
**erin.obrien@wisconsinwetlands.org**

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/P2 WJ 1/16 J 1/16

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/?	mglass	/plwjl/16		_____			

FE Sent For:

<END>

**Gibson-Glass, Mary**

**From:** Erin O'Brien [Erin.O'Brien@wisconsinwetlands.org]

**Sent:** Monday, January 16, 2012 12:39 PM

**To:** Gibson-Glass, Mary

**Cc:** 'Gildo Tori'

**Subject:** wetland bill language re: watershed

Mary,

Here's some background info that may help us address the need to turn the HUC language into something meaningful to the public. In Wisconsin, USGS and NRCS (federal agencies) have worked in collaboration with WDNR to establish and map drainage areas at different scales. As per this fact sheet, these drainage areas are identified by different length codes and names. So, for example, the 8-digit HUC previously referenced is called a "subbasin". The 10-digit HUC is called a "watershed" each watershed is also named in the dataset.

I'm uncomfortable not including a reference to a hydrologic unit because this is the proper term for establishing drainage area boundaries at different scales. That said, since watershed is a term people are familiar with and probably the more appropriate scale for the purpose of this amendment (it's smaller than a subbasin), maybe we can find a way to insert the term watershed and clarify what it means. This is a bit clunky, but does it work for you?

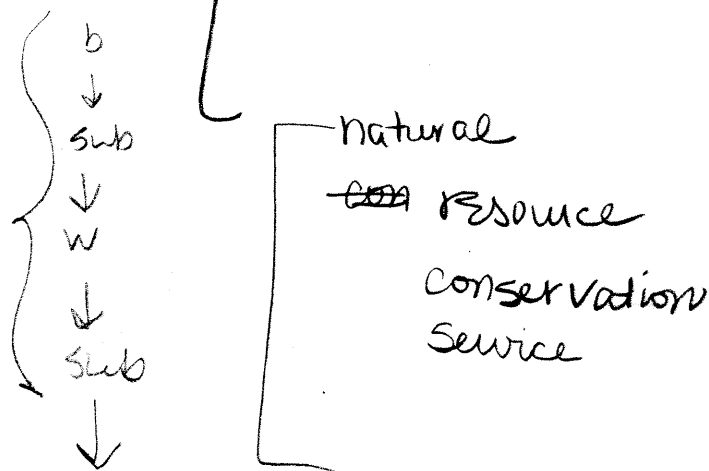
4. The impact on functional values resulting from any mitigation occurring within a drainage area mapped and identified as a watershed by USGS and NRCS in collaboration with the DNR.

\* 5. The net positive or negative environmental impact of the proposed project if the discharge and mitigation occur within the same drainage area mapped and identified as a watershed by USGS and NRCS in collaboration with the DNR.

FYI, there are approximately 52 "watersheds" in the state mapped at the 10-digit HUC scale.

I've copied another partner on this note so he could add his expertise to any discussion.  
Erin

Wetland Policy Director  
Wisconsin Wetlands Association  
222 S. Hamilton St., Suite 1  
Madison, WI 53703  
www.wisconsinwetlands.org  
608-250-9971





State of Wisconsin  
2011 - 2012 LEGISLATURE



LRBa2107A

MGG:1:....

Wly

DN

RMR  
PI

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**  
**ASSEMBLY AMENDMENT ,**  
**TO 2011 ASSEMBLY BILL 463**

Please  
check  
extra  
spaces.

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 16, line 6: after that line insert:

3 "SECTION 58v. 281.36 (1) (av) of the statutes is created to read:

4 281.36 (1) (av) "Drainage area" means an area that is mapped and identified  
5 as a watershed by the <sup>U.S.</sup> ~~United States~~ geological survey and the natural resources  
6 conservation service of the federal department of agriculture in collaboration with  
7 the department."

8 ✓ 2. Page 28, line 10: delete lines 10 to 12 and substitute:

9 "4m. The impact on functional values resulting from any mitigation to be  
10 required under sub. (3r) that will occur in the same <sup>drainage area</sup> ~~watershed~~ in which the proposed  
11 project will be located. <sup>area mapped and identified as a watershed by the United</sup>  
12 States Geological Survey and the Natural Resource Conservation Service.



- ① 5m. The net positive or negative environmental impact of the proposed project  
2 if any mitigation to be required under sub. (3r) will occur in the same watershed in  
3 which the proposed project will be located.”  
4 (END)
- drainage area

D - N

Date

~~the~~  
The term <sup>cc/ watershed</sup> watershed <sup>22/</sup> is used elsewhere in  
the bill. So I made the defined term  
↓ drainage area ✓

MB

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBa2107/P1dn  
MGG:wlj:jf

January 16, 2012

The term "watershed" is used elsewhere in the bill. So I made the defined term "drainage area."

Mary Gibson-Glass  
Senior Legislative Attorney  
Phone: (608) 267-3215

**Gibson-Glass, Mary**

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**From:** Erin O'Brien [Erin.O'Brien@wisconsinwetlands.org]  
**Sent:** Monday, January 16, 2012 4:17 PM  
**To:** LRB.Legal; Gibson-Glass, Mary  
**Subject:** RE: Draft review: LRB 11a2107/P1 Topic: Factors in review regarding watersheds  
Mary,

Use of and defining drainage area is fine. Here are suggested changes to the language you presented.

Please let me know if you're ok with these or call if we need to discuss. Thanks.

4m. The impact on functional values resulting from any mitigation ~~to be~~ required under sub. (3r) that will occur in the same drainage area in which the proposed ~~project~~ discharge will be located.

5m. The net positive or negative environmental impact of the proposed project if ~~any~~ the mitigation to be required under sub. (3r) will occur in the same drainage area in which the proposed ~~project~~ discharge will be located.”.

Wetland Policy Director  
Wisconsin Wetlands Association  
222 S. Hamilton St., Suite 1  
Madison, WI 53703  
www.wisconsinwetlands.org  
608-250-9971

---

**From:** LRB.Legal [mailto:LRB-LegalServices@legis.wisconsin.gov]  
**Sent:** Monday, January 16, 2012 3:52 PM  
**To:** erin.obrien@wisconsinwetlands.org  
**Subject:** Draft review: LRB 11a2107/P1 Topic: Factors in review regarding watersheds

**Draft Requester: Cory Mason**

**Following is the PDF version of draft LRB 11a2107/P1 and drafter's note.**



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRBa2107/PD

MGG:wlj:jf

slays

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TO 2011 ASSEMBLY BILL 463

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6 service of the federal department of agriculture in collaboration with the  
7 department."

8 2. Page 28, line 10: delete lines 10 to 12 and substitute:

9 "4m. The impact on functional values resulting from any mitigation ~~to be~~  
10 required under sub. (3r) that will occur in the same drainage area in which the  
11 proposed <sup>discharge</sup> ~~project~~ will be located.

discharge



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRBa2107/12  
MGG:wlj:jf

Now

↑  
Stays

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11 discharge will be located.

5m. The net positive or negative environmental impact of the proposed project if the mitigation to be required under sub. (3r) will occur in the same drainage area in which the proposed discharge will be located.”.

**(END)**